

While content providers have the right to protect themselves against piracy, measures such as mandating the proposed broadcast flag are ill-conceived.

At best, use of a broadcast flag would prevent some amount of casual piracy. However, anyone with a pirate receiver that ignores the flag would be able to copy and redistribute "protected" broadcasts freely. It only requires one person making a file available on the Internet for that file to be leaked permanently.

At worst, such a mandate would likely limit the public's ability to use broadcasts in legitimate, non-infringing ways. Affected consumer electronic devices are bound to be more expensive. Digital television equipment that costs more yet offers less flexibility would only hurt consumers and hinder the adoption of digital television.

Lastly, such a regulation would ultimately impact other industries. As computers and televisions continue to converge, this approach would inevitably lead to greater restrictions on PC makers and software companies. Such restrictions would only serve to stifle the development of new consumer technologies.